



**COMMON COUNCIL  
AGENDA  
REGULAR STATED MEETING  
SEPTEMBER 4, 2018  
7:30 P.M.**

**PLEDGE TO THE FLAG:** Hon. Justin Brasch

**ROLL CALL:** City Clerk

**ADJOURNED  
PUBLIC HEARING:**

1. Public Hearing in relation to the petition submitted on behalf of WP Development NB, Inc., to amend the Zoning Ordinance to create a new Planned Residential Development Zoning District and amend the Zoning Map classification from RM-1.5 to Planned Residential Development, and the Draft Environmental Impact Statement.  
**ADJOURNED TO OCTOBER 1, 2018**

**PUBLIC HEARINGS:**

2. Public Hearing in relation to the application submitted on behalf of 120 Bloomingdale Road LLC, and ND Acquisitions, LLC, for an amendment to the "S" Zone as approved and amended to date by the Common Council with respect to 120 Bloomingdale Road (Section 131.21, Block 3, Lots 2.11 and 2.12 on the Tax Assessments Maps of the City of White Plains), with respect to a site plan application to allow development of 132 apartments, in a multi-family residential project for independent senior living, as well as a parking structure for the existing building at 120 Bloomingdale Road. **Opened/Closed**
3. Public Hearing in relation to an application submitted on behalf of OSG Mamaroneck, LLC, for a site plan amendment to construct a new parking garage at 1311 Mamaroneck Avenue, White Plains, NY, which is an environmentally sensitive site as defined by Chapter 3-5 of the White Plains Municipal Code. **Opened/Closed**

**ITEMS 4 - 15 F/S**

4. Communications from Commissioner of Building
5. Design Review Board

- 6. Commissioner of Planning
- 7. Planning Board
- 8. Commissioner of Public Safety
- 9. Commissioner of Public Works
- 10. Deputy Commissioner, Traffic Division
- 11. Transportation Commission
- 12. Commissioner of Parking
- 13. Westchester County Planning Board
- 14. City Clerk
- 15. Environmental Officer

16. Environmental Findings Resolution **ADOPTED**

17. Resolution of the Common Council of the City of White Plains approving the application submitted on behalf of OGS Mamaroneck LLC, d/b/a ONYX Equities (“Applicant”), owner of the property known as 1311 Mamaroneck Avenue, for an amendment to an approved site plan to construct a new parking garage and other site improvements. **ADOPTED**

**FIRST READING  
ORDINANCES:**

18. Communication from Corporation Counsel in relation to the settlement of a lawsuit brought by the Connecticut Fund for the Environment, Inc. against the City of White Plains. **F/S**
19. Ordinance authorizing the settlement of the federal lawsuit brought by the Connecticut Fund for the Environment, Inc. against the City of White Plains. **ADOPTED 7 - 0**
20. Communication from the Mayor in relation to a Memorandum of Understanding with Sustainable Westchester, Inc. in relation to the City’s participation in a Community Choice (Energy) Aggregation Program. **F/S**
21. Ordinance of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to enter into a Memorandum of Understanding with Sustainable Westchester, Inc., in relation to the City’s participation in a Community Choice (Energy) Aggregation Program managed by Sustainable Westchester, Inc., for the aggregate procurement of energy from energy service companies, and execute the 2019 Electric Service Agreement. **ADOPTED 7 - 0**
22. Communication from Chairman, Capital Projects Board, in relation to Capital Project No. C5501, Public Safety Building Bathrooms/Locker Renovations. **F/S**
23. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. C5501, Public Safety Building Bathrooms/Locker Renovations. **ADOPTED 7 - 0**

24. Bond Ordinance dated September 4, 2018, authorizing the issuance of an additional \$101,000 aggregate principal amount serial bonds of the City of White Plains, County of Westchester, State of New York, to finance the additional costs of the construction or reconstruction of City-owned buildings. **ADOPTED 7 - 0**
25. Communication from Commissioner of Public Works in relation to authorization for the Commissioner of Public Works to waive certain fees with respect to removal of non-sewerage connections to the City's Sanitary Sewers. **F/S**
26. Ordinance authorizing the Commissioner of Public Works to waive certain fees with respect to removal of non-sewerage connections to the City's Sanitary Sewers. **ADOPTED 7 - 0**
27. Communication from Commissioner of Public Safety in relation to a donation in the amount of \$500.00 from the Target Corporation to assist in funding the National Night Out 2018 event. **F/S**
28. Ordinance of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to accept on behalf of the City of White Plains a donation from the Target Corporation in the amount of \$500 to be used for the National Night Out 2018. **ADOPTED 7 - 0**
29. Communication from Commissioner of Public Safety in relation to a Tactical Team Grant in the amount of \$100,000 by the New York State Division of Homeland Security, to be used to purchase equipment, do training and exercises and planning projects that support counter terrorism missions. **F/S**
30. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee, to execute all documents required in connection with the acceptance of a Fiscal Year 2017 Tactical Team Grant in the amount of \$100,000 from the New York State Division of Homeland Security and to direct the Budget Director to amend the 2018/2019 Public Safety Grant Fund to reflect the receipt and appropriation of these grant funds. **ADOPTED 7 - 0**
31. Communication from Commissioner of Public Safety in relation to a Critical Infrastructure Program Grant in the amount of \$50,000 by the Department of Homeland Security to be used to purchase equipment to enhance security and mitigate vulnerabilities at the annual New Years Eve Special Event. **F/S**
32. Ordinance of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to execute all documents required in connection with the acceptance of a FY 2017 Critical Infrastructure Program Grant in the amount of \$50,000 in federal funding awarded by the New York State Division of Homeland Security and Emergency Services and to direct the Budget Director to amend the 2018/2019 Public Safety Grant Fund to reflect the receipt and appropriation of these grant funds. **ADOPTED 7 - 0**

33. Communication from Deputy Commissioner of Public Safety in relation to funds in the amount of \$7,991.37 from the Town of Bedford, N.Y., which recovers training expenses of an officer who left White Plains Public Safety within three years of appointment. **F/S**
34. Ordinance of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to execute all documents required in connection with the acceptance of funds received from the Town of Bedford, New York, in the amount of \$7,991.37 pursuant to New York General Municipal Law Section 72-c. **ADOPTED 7 - 0**
35. Communication from Commissioner of Public Safety in relation to a Explosive Detection Canine Team Grant in the amount of \$50,000 from the New York State Division of Homeland Security to be used for equipment, training, exercises and planning projects that support counter terrorism missions. **F/S**
36. Ordinance of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to execute all documents required in connection with the acceptance of a Fiscal Year 2017 Explosive Canine Team Grant in the amount of \$50,000, from the New York State Division of Homeland Security and to direct the Budget Director to amend the 2018/2019 Public Safety Grant Fund to reflect the receipt and appropriation of these grant funds. **ADOPTED 7 - 0**
37. Communication from Commissioner of Public Safety in relation to Police Traffic Services Program Grant in the amount of \$27,970, by the New York State Governor's Traffic Safety Committee to be used for enforcement to increase motorist seatbelt usage and to reduce dangerous driving behavior. **F/S**
38. Ordinance authorizing the Mayor or his designee to execute the documents necessary to accept the funds for a Police Traffic Services Program Grant Award from the New York State Governor's Traffic Safety Committee to be used for enforcement purposes to increase motorist seatbelt usage and to reduce dangerous driving behavior. **ADOPTED 7 - 0**
39. Communication from Deputy Commissioner of Public Safety in relation to a donation in the amount of \$10,000 from the New York Law Enforcement Foundation, Inc., to be used to maintain the K-9 Unit with veterinary services and other needed items. **F/S**
40. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee to accept, on behalf of the City of White Plains, a donation in the amount of \$10,000 from the New York Law Enforcement Foundation, Inc., and to direct the Budget Director to amend the 2018/2019 Public Safety Grant Fund to reflect the receipt and appropriation of the donation. **ADOPTED 7 - 0**
41. Communication from Deputy Commissioner of Public Safety in relation to a grant in the amount of \$2,000 by the New York State Governor's Traffic Safety Committee to participate in the statewide Child Passenger Safety Program. **F/S**

42. Ordinance authorizing the Mayor or his designee to execute all documents required in connection with the acceptance of a \$2,000 Grant Award from the New York State Governor's Traffic Safety Committee to participate in the statewide Child Passenger Safety Program. **ADOPTED 7 - 0**
43. Communication from Commissioner of Planning in relation to a transfer of funds in the Community Development Program Budget to support the White Plains Education & Training Center. **F/S**
44. Ordinance authorizing the transfer of funds within the Community Development Program Budget to support the White Plains Education and Training Center. **ADOPTED 7 - 0**
45. Communication from Commissioner of Planning in relation to a consultant agreement with Per Scholas, Inc., to provide training and in IT Support Specialist to students at the White Plains Education & Training Center. **F/S**
46. Ordinance authorizing the Mayor, or his designee, to enter into a consultant agreement with Per Scholas, Inc., to provide training and instruction in Information Technology Support Specialist for the City of White Plains Education and Training Center. **ADOPTED 7 - 0**
47. Communication from Commissioner of Recreation and Parks in relation to a donation made by the Clay Arts Center, Port Chester, NY, to accept two mosaic park benches which will be placed in Bryant Mamaroneck Park and at the entrance to the Jack Harrington Greenway on Gedney Way. **F/S**
48. Ordinance of the Common Council of the City of White Plains authorizing the Mayor to accept on behalf of the City of White Plains park benches. **ADOPTED 7 - 0**
49. RESERVED see item 100
50. RESERVED see item 101
51. Communication from Deputy Director, Youth Bureau, in relation to a contract with Liesa Stamm, Ph.D., to provide evaluation services for the 21<sup>st</sup> Century Community Learning Center Steam Academy. **F/S**
52. Ordinance of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to execute on behalf of the City, a consultant contract with Lisa Stamm, Ph.D., to provide evaluation services for 21<sup>st</sup> Century Community Learning Center Steam Academy. **ADOPTED 7 - 0**
53. Communication from Deputy Director, Youth Bureau, in relation to a contract with Westchester Putnam Workforce Investment Board to continue to provide Youth

Employment Services to In School and Out of School Youth ages 14 to 24 years. **F/S**

54. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee to enter into a contract with the County of Westchester acting on behalf of the Westchester Putnam Investment Board through the Westchester Workforce Development Academy for Youth, to receive \$118,586 in funding for Workforce Investment and Opportunities Act (WIOA) youth employment services to In School and Out of School Youth, 14 to 24 years of age for the period beginning July 1, 2018 and ending June 30, 2019. **ADOPTED 7 - 0**
55. Communication from Deputy Director, Youth Bureau, in relation to a contract with Career Visions Institute, Ltd. to provide youth and parent workshops for the 21<sup>st</sup> Century Community Learning Center Programs. **F/S**
56. Ordinance of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to enter on behalf of the City, a contract with Career Visions Institute, Ltd., to provide youth and parent workshops for the 21<sup>st</sup> Century Learning Center Programs. **ADOPTED 7 - 0**
57. Communication from Deputy Director, Youth Bureau, in relation to a contract with India Center of Westchester, Inc., to provide enrichment and education classes for the 21<sup>st</sup> Century Community Learning Center Programs. **F/S**
58. Ordinance of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to execute on behalf of the City, a consulting services contract with the India Center of Westchester, Inc., for the 21<sup>st</sup> Century Community Learning Center Programs. **ADOPTED 7 - 0**
59. Communication from the Mayor in relation to Executive Order 13223, which authorizes the payment of a differential in salary and extends benefits to employees who were called to active duty in response to the terror attack of September 11, 2001, and extends the differential through September 11, 2019. **F/S**
60. Ordinance amending an ordinance entitled, "An ordinance granting compensatory benefits for up to six months to City Officers and Employees who are members of the Armed Forces Reserves, and who are ordered to active military duty pursuant to Executive Order 13223 signed by the President of the United States on September 13, 2001, or other duty compelled by federal or state law related to the terrorist attacks of September 11, 2001." **ADOPTED 7 - 0**
61. Communication from the Personnel Officer in relation to an amendment to the Municipal Code Compensation and Leave Plan and the Table of Organization by adding and abolishing certain positions. **F/S**
62. Ordinance amending Section 2-5-80 of the White Plains Municipal Code by establishing a certain hourly title, and amending the 2018-2019 Table of

Organization by adding and abolishing certain positions. **ADOPTED 7 - 0**

63. Communication from the Deputy Commissioner of Parking in relation to proposed amendments to the Traffic Ordinance at various locations around the City. **F/S**
64. Ordinance amending the Traffic Ordinance of the City of White Plains in relation to modifying a “Handicapped Parking Spaces - Streets (Metered Three-Hour Maximum)” on the west side of Mamaroneck Avenue. **ADOPTED 7 - 0**

**RESOLUTIONS:**

65. Communication from Corporation Counsel in relation to scheduling a public hearing for October 1, 2018 on an application submitted on behalf of Hale WP Owners LLC, for special permit and site plan approval to construct a multi-family residential buildings 97-111 and 100-104 Hale Avenue, the east building of seven stories with 70 dwelling units and 102 on site parking spaces, and the west building of eight stories with 57 dwelling units and 68 parking spaces. **F/S**
66. Resolution of the Common Council of the City of White Plains scheduling a public hearing for October 1, 2018 in relation to the application, submitted on behalf of Hale WP Owner LLC, for a site plan approval to allow development of 2 buildings containing a total of 127 dwelling units and 170 parking spaces at 97-111 and 100-114 Hale Avenue, and special permit to allow additional stories within the maximum height allowed in the RM-0.35 (Residential Multi-Family) Zoning District. **ADOPTED**
67. Communication from Corporation Counsel in relation to the Westchester County Industrial Development Agency’s issuance of sales tax and tax exemptions for Westmoreland Lofts, LLC to construct 62 residential units with a roof top terrace and some ground floor retail, commercial or manufacturing space at 138-158 Westmoreland Avenue. **F/S**
68. Resolution of no objection to Westchester County Industrial Development Agency’s issuance of sales tax and tax exemptions to construct 62 residential units with a roof top terrace and some ground floor retail, commercial or manufacturing space at 138 - 158 Westmoreland Avenue on behalf of Westmoreland Lofts, LLC, by leasing and subleasing back said building. **ADOPTED**
69. Communication from Corporation Counsel in relation to Westchester County Industrial Development Agency’s issuance of sales tax and tax exemptions to construct 24,256 square feet of retail space and 276 apartment units in two buildings on behalf of Saber Chauncey WP, LLC, by leasing and subleasing said office space. **F/S**
70. Resolution of no objection in relation to Westchester County Industrial Development Agency’s issuance of sales tax and tax exemptions to construct 24,256 square feet of retail space and 276 apartment units in two buildings (one

fronting on Westchester Avenue and one fronting on Frankly Avenue) on behalf of Saber Chauncey WP, LLC, by leasing and subleasing said office space.

**ADOPTED 6 - 1. Nay: Mrs. Lecuona**

71. Communication from Corporation Counsel in relation to Westchester County Industrial Development Agency's issuance of sales tax and tax exemptions to demolish an existing structure and construct 8,000 square feet of retail space and 434 apartment units at 131 Mamaroneck Avenue and 1 Mitchell Place on behalf of Lennar Multifamily Communities, LLC, and/or a special purpose entity to be formed and controlled by Lennar Multifamily Communities, LLC ("Lennar") by leasing and subleasing said office space. **F/S**
72. Resolution of no objection to in relation to Westchester County Industrial Development Agency's issuance of sales tax and tax exemptions demolish an existing structure and construct 8,000 square feet of retail space and 434 apartment units at 131 Mamaroneck Avenue and 1 Mitchell Place on behalf of Lennar Multifamily Communities, LLC, and/or a special purpose entity to be formed and controlled by Lennar Multifamily Communities, LLC ("Lennar") by leasing and subleasing said office space. **ADOPTED**
73. Communication from Commissioner of Building in relation to a site plan application submitted on behalf of W.P. Mall Realty, LLC, and SWD 3 LLC (d/b/a Street-Works Development ("Applicant")), to construct a mixed/use development to be known as Hamilton Green located at 200 Hamilton Avenue. **F/S**

**ITEMS 74-84 F/S**

74. Communications from Commissioner of Building (listed in error)
75. Design Review Board
76. Commissioner of Planning
77. Planning Board
78. Commissioner of Public Safety
79. Commissioner of Public Works
80. Deputy Commissioner, Traffic Division
81. Transportation Commission
82. Commissioner of Parking
83. Westchester County Planning Board
84. Environmental Officer
85. Environmental Findings Resolution **ADOPTED**
86. Resolution of the Common Council of the City of White Plains approving the application submitted on behalf of W.P. Mall Realty, LLC, and SWD 3 LLC, for site plan approval for a mixed use project with eight hundred and sixty (860) residential units, including eighty six (86) affordable dwelling units, residential amenities 956 parking spaces, 85,400 square feet of retail and restaurant space, approximately 27,000 square feet of office space and approximately 55,000 square feet of open space, on a 3.74 acre parcel known as 200 Hamilton Avenue. (Hamilton Green). **ADOPTED**



87. Communication from Commissioner of Building in relation to an application for a site plan amendment for 400 Hamilton Avenue, submitted on behalf of AT&T, to modify the existing required parking for 400 Hamilton Avenue, and an application submitted on behalf of Rose Associates, Inc., and 440 Hamilton Owner, LLC, for a site plan to allow development of 255 apartments, some commercial floor area and associated parking at 440 Hamilton Avenue and its adjacent parking lot, and Special Permit to (1) allow additional stories within the maximum height allowed in the RM-0.35 (Residential Multi-Family) Zoning District and (2) allow additional building coverage over the maximum allowed in the RM-0-35 (Residential Multi-Family) Zoning District, and for an amendment to the Special "S" Zone as approved and amended to date by the Common Council with respect to 440 Hamilton Avenue. **F/S**

**ITEMS 88 - 97 F/S**

88. Communications from Design Review Board  
89. Commissioner of Planning  
90. Planning Board  
91. Commissioner of Public Safety  
92. Commissioner of Public Works  
93. Deputy Commissioner, Traffic Division  
94. Transportation Commission  
95. Commissioner of Parking  
96. Westchester County Planning Board  
97. Environmental Officer

98. Environmental Findings Resolution **ADOPTED**

99. Resolution of the Common Council of the City of White Plains approving the site plan application and special permit approvals for building height and building coverage submitted on behalf of Rose Associates and 440 Hamilton Owner, LLC ("Applicants"), the owner of the premises located at 440 Hamilton Avenue and 32-40 Barker Avenue, for the conversion of an existing office building at 440 Hamilton Avenue into a 255 residential unit mixed development and development for the existing parking lot at 32-40 Barker Avenue into a 213 residential unit building with 575 space parking garage in which 29 units (6%) will be affordable at 60% of Westchester County's Area Median Income ("AMI"), within both buildings with a special permit to allow a portion of the Barker Avenue building to be seven stories in height, with a special permit to allow the maximum building coverage in the RM-0.35 Zoning District to be 62.8 percent instead of 60 percent, and 575 parking garage spaces for the project provided through a combination of dedicated parking spaces and joint use parking spaces pursuant to Section 8.5.3 of the Zoning Ordinance via a parking easement agreement with AT&T, the owner of the adjacent premises at 400 Hamilton Avenue, and further with the payment by the applicants of fee-in-lieu in the amount of \$1,433,500 to be used exclusively for park, playground and other recreational purposes, including the acquisition of real property, to mitigate the recreational impact of the new multi-family project, in accordance with General City Law Section 27-A, and approving amendment to the site plan submitted by AT&T Corp., with respect to 400 Hamilton Avenue. **ADOPTED**

100. Communication from Commissioner of Recreation and Parks in relation to an agreement and grant application to the USA Swimming Foundation for funding to support swim lessons for twenty-four resident youth who are economically disadvantaged, to participate in a program to teach them to swim over a period of 22 weeks. **F/S**
101. Resolution of the Common Council of the City of White Plains authorizing the filing of an application, including indemnification, to the USA Swimming Foundation for grant funding to support swim lessons for economically disadvantaged resident youth. **ADOPTED**
102. Communication from Commissioner of Planning in relation to an award of \$375,000 from the N.Y.S. Affordable Housing Corporation to be used to provide financial assistance to qualifying homeowners, whose homes are in need of substantial repairs that qualify under the Affordable Home Ownership Development Program as home improvements. **F/S**
103. Resolution of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to enter into an agreement on behalf of the City of White Plains, with the New York State Affordable Housing Corporation for receipt of funds under the Affordable Housing Corporation's Affordable Home Ownership Development Program. **ADOPTED**

**ITEMS FOR INFORMATION:**

104. Communication from the Budget Director transmitting the Capital Improvement Status Report for the fiscal year ending June 30, 2018. **F/S AND ATTACHMENT FILED.**